



## Legislative & Public Policy Committee Meeting Minutes

August 29, 2017 -- 10:00 AM – 12:00 PM

DD Council Office

1120 Lincoln Street, Suite 706

Denver, CO 80203

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### MEETING AGENDA:

10:00	Introductions and agenda	Hal
10:05	Approval of previous meeting minutes	Hal & Bob
10:10	Areas of focus for the coming year	Hal et alii
10:55	Consolidation of state DD Councils with Independent Living Councils & Traumatic Brain Injury Programs with significant reduction in total funding; CDDC and LPPC action plan to oppose	Marcia and Hal
11:10	Training in Legislative Advocacy; should we conduct a program?	Hal
11:30	Partnerships with other organizations; quick status	Hal/Bob
11:35	Should the CDDC join the Colorado Social Legislation Committee?	Hal
11:45	Federal and State updates	Bob
11:55	Meeting days and times going forward	Hal
12:00	Summary of decisions and actions	Hal
12:05	Adjourn	

**NOTE: NEXT MEETING September 19<sup>th</sup>, 11:00 AM – 12:30 PM.**

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## DISCUSSION:

1. The meeting was called to order at approximately 10:10 AM by Hal Wright.
2. Approval of the June 5, 2017 meeting minutes was deferred until the September committee meeting.
3. Committee members introduced themselves and shared their thoughts about areas of focus for the coming year, including:

Julie Voltaire Schleusener indicated that continuity of services is an important issue. She expressed concern that the current service structure does not provide continuity of support for individuals with developmental disabilities during a hospital stay.

Alicia Eakins felt that health care needs to be a priority and that consideration of a single payer system would resolve many concerns.

Claire Dickson identified legislative advocacy, non-profit education, and the current work of American Bar Association (ABA) to propose guardianship legislation that references Supported Decision-Making as important issues.

Mike Hoover offered that finding and supporting relevant bills to provide testimony on was important to him. He also felt that collaboration with other groups and gathering input from around the state should be a focus.

Paulette Steinhoff recommended that we stay vigilant about ongoing threats to Medicaid and be ready to act. She also noted the isolating impact of current RTD eligibility requirements for their door to door service, Access-A-Ride. It was suggested that Claudia Folska, an RTD board member who has a visual impairment, be considered a resource on this issue.

Bob Lawhead described the role of the 5 year plan in the work of the committee and discussed his role on the Medicaid Waiver Implementation Committee, which is providing input to HCPF's efforts to combine the two adult Medicaid Waiver programs. He also provided information to the committee on the State's Open Meeting requirements.

Marcia Tewell provided additional information on how Sunshine Law requirements impact the work of the committee.

Jessica Howard felt reducing the negative impact of the school to prison pipeline continues to be important, with a focus on reducing suspension and expulsion of young students. She also mentioned the need to reduce seclusion and restraint in the child and adult systems.

Lisa Franklin recommended monitoring early education around issues of suspension and expulsion.

Marcia Tewell clarified that the Council uses the Federal definition of Developmental Disabilities which is broader than the State's:

[https://www.acl.gov/sites/default/files/about-acl/2016-12/dd\\_act\\_2000.pdf](https://www.acl.gov/sites/default/files/about-acl/2016-12/dd_act_2000.pdf)

Sue Fager reviewed the process of how the Administration for Community Living provides funding to DD Councils, including the role of public input, the comprehensive review and assessment of State DD Services, the Five Year Plan, and annual reporting on outcomes.

In summary, the areas of focus identified by committee members are as follows:

- Defending Medicaid
- Seclusion and restraint
- Suspension and expulsion
- Supported decision-making
- Access-A-Ride
- Education, both general and special
- Continuity of services
- Single payer healthcare
- School to prison pipeline

4. Marcia Tewell provided an update on the status of proposed changes to DD Councils, Statewide Independent Living Councils, and Brain Injury Programs that could result if the proposed federal budget is approved. At this point in time, it is estimated that 53 million dollars would be cut from all three programs, resulting in an estimated cut to DD Councils of 43%. All three groups provided feedback to the Administration on Community Living; DD Councils across the nation submitted more than 1000 comments. Marcia will be attending a DD Council director's meeting October 16th, where this is expected to be a topic of discussion.
5. Committee members discussed a Council-supported training in Legislative Advocacy, with the result that more work is needed to clarify outcomes and how to conduct it.
6. The Committee discussed joining the Colorado Social Legislation Committee and decided not to pursue it as a Council action. Committee members are free to participate on their own.
7. Bob Lawhead provided an update on several federal legislative efforts including the Americians with Disabilities Act (ADA) Education and Reform Act which addresses concerns about ADA "drive-by" litigation and associated monetary awards. One concern expressed by advocates is that the ADA makes no provision for monetary awards. National disability advocacy groups have confirmed this legislation will significantly weaken the ADA. This bill requires that accessibility complaints to businesses conform to a legally compliant format or the complaint is considered invalid. It allows for a 60 day waiting period before a business must respond followed by an additional 120 days period before corrective action begins. Congressman Mike Coffman supports this legislation. Bob requested permission to contact Representative Coffman to request he remove his name from the list of bill co-sponsors. The Disability Integration Act addresses civil rights for persons with disabilities to access their communities consistent with the Supreme Court's Olmstead Ruling. This bill would result in increased access to Home and Community Based Services waivers funded through Medicaid. Senator Bennett and Representatives Polis, DeGette and Perlmutter are current bill sponsors. Bob requested that he represent the Council in thanking bill sponsors and encouraging others within the Colorado delegation to sponsor this legislation. Discussion ensued regarding community inclusion for people with intense support needs and communities that may not have those supports in place yet. The Committee gained consensus in requesting that Bob provide

additional information on this legislation to the Committee before his request would be considered.

8. Meeting dates and times for the year ahead will occur on the 2<sup>nd</sup> or 3<sup>rd</sup> Tuesday of the month from 11:00 AM – 1:00 PM depending on committee member availability that will be researched.
9. Hal reviewed decisions and actions the committee has committed to (see Action Items below). Hal also indicated that he would include Colorado Legislature resources to committee members:
  - Colorado Capitol Watch, website is [www.coloradocapitolwatch.com](http://www.coloradocapitolwatch.com)
  - Colorado General Assembly website, [www.leg.colorado.gov](http://www.leg.colorado.gov)
  - People may want to check out what's in the Legislative Information Services rooms 010 and 011 in the Capitol basement
10. Public Comments: Donna Downing (community member of the committee) shared her reflections on hospitals that have been hiring extra staff for patients whose needs exceed typical support provided. These staff are not funded through Medicaid. She also shared that Michael Hoover (community member of the committee) has a document on supported decision-making that he would share with the Committee.
11. Adjournment – Adjournment occurred at 1:05 P.M.

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#### ACTION ITEMS:

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1. Marcia will keep the Committee updated on the status of proposed re-design and funding reductions of DD Councils.
  2. Bob Lawhead will provide the Committee with additional information on the Disability Integration Act.
  3. Hal moved that the committee recommend that the Council send a letter to Congressman Mike Coffman expressing our concerns and removing his name from supporting the bill; Claire seconded; the motion passed. Bob will follow up on this.
  4. Donna Downing is willing to contribute a personal story to potential letter to be sent to Mike Hoffman, regarding the ADA Education and Reform Act legislation.
  5. Marcia Tewell will check on the status of Jennifer Martinez's Council application.
  6. Michael Hoover will share his document on Supported Decision Making with the Committee.
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Council Committee Members Present: Alicia Eakins, Claire Dickson, Lisa Franklin, Jessica Howard, Julie Voltaire Schleusener, Paulette Steinhoff, Hal Wright

Community Committee Members Present: Mike Hoover

Guest: Donna Downing

Staff Present: Marcia Tewell, Bob Lawhead, Sue Fager, Janice Del Campo

Absent: Sen. Irene Aguilar, Robert Buzogany, Jeanette Cordova, Kristen Erby, Patricia Henke, Sarah Metsch, Willie Wade, Deborah Marks Williams

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Materials for the Meeting:

Agenda

Draft Meeting Minutes 6.5.17 for Committee Approval

Council Five Year Plan Implementation Plan

Illustration of the Federal Funding Process for DD Councils

CDDC Action Alert DRAFT on the ADA Education and Reform Act (HR 620) 5.1.17

Information on the Disability Integration Act

Flyer from CO Social Legislation Committee

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